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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

215 Fremont Street
San Francisco, Ca. 94105

July 8, 1988

MEMORANDUM

SUBJECT: Proposed De-Listing of Ordot Landfill from the NPL

FROM: Norman L. Lovelace, Chief *NL*
Office of Pacific Island and Native American Programs

Doris Betuel
Guam Program Manager *Doris Betuel*

TO: Files

The Toxics and Waste Management Division (TWMD) has proposed that the Ordot Landfill be removed from the NPL. The rationale for this action is that although additional information is needed to fully document the extent of the public health and environmental impacts from the landfill, the solution is obvious and not appropriately addressed with CERCLA funds.

We agree that it is desirable to proceed with those corrective measures that would be common to any permanent solution before the site is fully characterized. And, we agree that undertaking these measures is more efficiently pursued outside of CERCLA. The information we have reviewed to date indicates that upland runoff diversion, leachate collection and treatment, and some means of reducing leachate production (e.g., capping) are measures that should be undertaken under any scenario. We believe these measures can and should be pursued by Guam after a competent review of their feasibility and costs.

In March 1986 an Administrative Order was issued by us to the Department of Public Works (DPW) in Guam. The Order was issued under the Clean Water Act and, among other things, it required the DPW to cease the discharge of leachate from Ordot into the Lonfit River. DPW has not fully complied with the Order partly because of the incomplete status of the remedial investigation and uncertainty over whether corrective measures would occur under CERCLA. Also, of potential importance is the expected appropriation of \$1.7 million by Congress for improvements and expansion of Ordot. Some portion of these funds could be utilized to implement the corrective measures identified above.

The proposed delisting has some advantages and disadvantages that should be considered as the process proceeds. On the positive side, delisting the site would remove any doubt about

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whether EPA will take care of the problem and shift more responsibility to Guam. On the negative side, delisting the site could suggest that there isn't a significant problem. We are not convinced that sufficient information has been gathered for anyone to know the full extent of environmental and public health hazards posed by Ordot. Any suggestion by EPA that a problem does not exist would not be wise in our view.

In view of the above factors, we suggest the following course of action:

- We proceed with the proposed ROD of no further action at this time with the specification that the delisting would become final only after the site is fully understood (i.e., additional monitoring and data collection) and a binding commitment to implement necessary corrective measures has been obtained from Guam, or a legally enforceable mechanism is in place to require the necessary corrective action.
- We provide technical assistance to Guam to: (1) define the monitoring and data collection and analysis efforts that must be undertaken to fully characterize the site; (2) review the currently proposed corrective measures and make necessary modifications and develop cost estimates. We also, should be willing to commit CERCLA resources for additional data collection if Guam's capabilities are insufficient.
- EPA review the existing Administrative Order thoroughly and modify it to fully incorporate the needed data collection efforts and implementation of corrective measures.
- We, in conjunction with Guam, attempt to have specified in the FY-89 appropriations bill that a portion of the \$1.7 million can be used for these corrective measures.

cc: Bobel, T-4-A
Baker/Sugarek, T-4-3

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